

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) JAY D. LABADIE,

Plaintiff,

vs.

(1) PROTEC FUEL MANAGEMENT, LLC,

(2) PROTEC ENERGY PARTNERS, LLC,

(3) ANTOD CORP.,

(4) TODD G. GARNER, and

(5) ANDREW GREENBERG,

Defendants.

Case No 10-cv-587-CVE-FHM

The Honorable Claire V. Eagan

STIPULATION OF DISMISSAL OF RICO CLAIM

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff and Defendant, by and through their undersigned counsel of record, hereby stipulate to the dismissal with prejudice of Plaintiff's civil RICO claim **ONLY**, with the parties to bear their own costs and attorneys' fees and all other claims remaining.

DATED this 24 day of February, 2011.

Respectfully submitted,

**NEWTON, O'CONNOR, TURNER & KEITCHUM,
A PROFESSIONAL CORPORATION**

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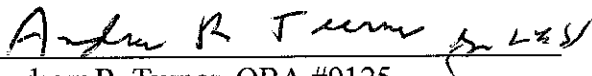
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*Signed by filing attorney with permission

CERTIFICATE OF SERVICE

- I hereby certify that on ~~February~~ ^{march} 3, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Andrew R. Turner
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- I hereby certify that on ~~February~~ ^{march} 3, 2011, I served the foregoing document by mail on the following, who are not registered participants of the ECF System:

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